Griggs apparently encouraged Bernard well into 1899 to persist. As a result, Bernard requested the assistance of undercover agents to infiltrate the white community and find the "rough and toughs" who were "incited and led and directed by other men of high official and social standing." Bernard continued that the city was "the storm center from which emanated most of the election crime and intimidation, for one entire Congressional District as well as other parts of this state."[23] The investigation languished until August 1900 when a new acting attorney general told Bernard to stop investigation because it was "inexpedient" to send undercover agents to the city. Bernard was instructed to justify his reasons for continuing the investigation. With the loss of federal support, Bernard closed the case files.[24]

Concurrent with the investigations by the United States attorney general, Oliver Dockery, the Republican candidate who lost the election for U.S. House of Representatives for the Sixth District to Wilmington Democrat John D. Bellamy, worked to overturn the election. As early as December 6, 1898, Wilmington papers said that Republican Oliver Dockery had employed attorneys to contest Bellamy's election in the House of Representatives and in the court system.[25]

Dockery notified Bellamy that he would challenge the election in December of 1898 because, he claimed, the election was not fair and was conducted fraudulently in some sections of the district. Dockery then began to take testimony from voters and election officials from throughout the Sixth District. Dockery's attorneys sought to demonstrate Red Shirt intimidation before the election and at the polls, as well as call to task the actions of men in Wilmington during the riot. Bellamy's attorneys aimed to remove the riot from the arguments since it occurred after the election and to show that the actual elections were carried out with little violence and intimidation. In instances where there were clear violations of election law, Bellamy's attorneys sought to discredit the witness. Dockery's attorneys were often frustrated by difficult witnesses favorable to the Democratic Party who would not fully answer questions. Pre-election intimidation led several Republican witnesses to acknowledge that they could not speak about all that they knew because they were fearful of the consequences for themselves or their families.[26] Newspapers across the state carried news of the proceedings and often reprinted portions of testimony, adding further to the public nature of the inquiry.[27] Despite setbacks, Dockery managed to file testimony in the House. Both he and Bellamy filed briefs on the case according to House rules, but no action was taken on the House floor on the

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[23] Claude Bernard to John Griggs, April 22, 1899, General Records of the Department of Justice, National Archives, as quoted in McDuffie, "Politics in Wilmington," 759.

[24] Acting Attorney General to Bernard, August 30, 1900, General Records of the Department of Justice, Instructions to United States Attorneys and Marshals as quoted in McDuffie, "Politics in Wilmington," 760.

[25] *Wilmington Messenger*, December 6, 1898.

[26] For more information see *Contested Election Case of Oliver H. Dockery vs. John D. Bellamy from the Sixth Congressional District of the State of North Carolina.* The contested election case testimony has been very helpful in providing extra details of the events leading up to the violence of November tenth as well as those of that day. Most helpful was the testimony of former chief of police John Melton and several African American election officials.

[27] Most of the information concerning the contested election and testimony has been found in either newspaper accounts or the bound volume, *Contested Election Case,* in Bellamy's personal library at the Bellamy Mansion in Wilmington. Some contradictory testimony, unflattering to Bellamy, not found in the bound volume or in Democratic newspapers was found in the *Union Republican* of March, 15, 1900.